



JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(New Candidate)

Full Name:

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1. Why do you want to serve as a Circuit Court judge?

From the first time I stepped into a courtroom as an attorney, I have wanted to serve this State and the people of this State as a Circuit Court judge. I have been active over the past sixteen years and am pleased to be presented with this opportunity at this time of my career when I am personally and professionally prepared.

I care about the justice system of this State, want to serve this State, and want to continue to improve the judicial process as a Circuit Court judge. Circuit Court judges often serve to introduce members of the public to our civic and judicial institutions. I see Circuit Court judges not only to be liaisons of our justice system for the lawyers and litigants, but also for the public at-large. I appreciate the responsibility of a Circuit Court judge to secure an efficient, honest, and fair procedure in the courtroom.

I want to serve as a Circuit Court judge to continue to advance these relationships and responsibilities, as well as the reputation of the judiciary.

2. Do you plan to serve your full term if elected?

Yes, I plan to serve a full term.

3. Do you have any plans to return to private practice one day?

No, if elected, I do not have plans to return to private practice.

4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?

Yes. I am a citizen of the United States and South Carolina; I have been a resident of the State of South Carolina for at least the past five years prior to the judicial election; I am at least thirty-two years old; and I am a licensed attorney at law for at least eight years.

I am not serving, nor have I previously served as a member of the General Assembly.

5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

The prohibition of *ex parte* communications, except under limited circumstances, is intended to ensure a judge performs his or her duties impartially and diligently.

I adhere to the Rules of Judicial Conduct, specifically Canon 3, which precludes *ex parte* communications unless specifically excepted or provided for by law. Under the limited exceptions provided for in Canon 3(B)(7), Rule 65(b), and specific statutory exceptions, *ex parte* communications by a Circuit Court judge may be tolerated.

A judge is obligated to avoid *ex parte* communications, and to ensure law clerks and staff avoid *ex parte* communications, to the extent reasonably possible. A judge should include all lawyers (or parties) in communications, if reasonably possible.

6. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

The Rules of Judicial Conduct require a judge to hear and decide matters assigned to the judge except those in which disqualification is required. Under Canon 3E(1), a judge is disqualified whenever the judge's impartiality might reasonably be questioned.

As a Circuit Court judge, if I disclosed something that had the appearance of bias, I would afford deference to the party requesting recusal to the extent the circumstances may cause my impartiality to be reasonably

questioned.

I would grant the motion to disqualify in the event my impartiality may reasonably be questioned.

7. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I would fully disclose on the record information regarding the financial and social involvement of my spouse or close relative. If after full disclosure on the record, the parties waive any disqualification, I would hear and decide the matters assigned to me. If, after full disclosure on the record, a party requests my recusal, I would grant the motion to disqualify in the event my impartiality may reasonably be questioned as a result of my spouse or close relative's financial or social involvement.

8. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would strictly adhere to the Rules of Judicial Conduct, Canon 4D(5)(e). As a practical matter and generally speaking, I would not accept gifts from parties, lawyers or law firms who have or are likely to appear before me; I would not accept gifts that would require disqualification under Canon 3E; and, I would not accept any special favors not afforded to other persons who are not judges. I would not accept any gift, or permit members of my household to accept any gift, that could be perceived as intended to influence the performance of my judicial duties.

I would not prohibit myself from engaging in ordinary social hospitality and common courtesies, such as receptions, bar functions, civic functions, and outings with personal friends. However, I would consider whether the social hospitality raises the appearance of impropriety prior to engaging.

9. How would you handle a situation in which you became aware of misconduct or appearance of infirmity of a lawyer or of a fellow judge?

If I became aware of misconduct or the appearance of infirmity of a lawyer or of a fellow judge that raises a substantial question as to that person's honesty, trustworthiness, or fitness, I would advise the lawyer or fellow judge of my concerns and my duty to report. I would encourage the lawyer or judge to self-report. I would make a report to the commission on Lawyer Conduct or the Commission on Judicial conduct as required by Rule 8.3 or the Rules of Professional Conduct.

10. Are you a member of any organization or association that, by policy or

practice, prohibits or limits its membership on the basis of race, sex, religion, or national origin? If so, please identify the entity and explain if this organization practices invidious discrimination on any basis.

No.

11. Have you engaged in any fund-raising activities with any political, social, community, or religious organizations? Please describe.

I have engaged in fundraising activities for sports and STEM related non-profits and booster clubs in schools and community organizations in the Myrtle Beach area. I have also engaged in fundraising activities with civic associations and non-profits for which I have been a member, such as the Carolina Forest Rotary Club and Grand Strand Humane Society. The extent of my fundraising efforts have been grass roots efforts to sell sponsorships or solicit donations in the community.

If elected, I would comply with Canon 4C(3)(b) regarding refraining from the solicitation of funds.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench?

No.

13. If elected, how would you handle the drafting of orders?

As a Circuit Court judge, I would make every effort to enter orders without unnecessary cost or delay.

If a Form 4 Order is appropriate, I would draft orders to be entered the same day as the hearing based on a ruling from the bench. If a Form 4 Order is not appropriate, I would consider proposed orders from parties if presented at the hearing, review to ensure accuracy of fact and law, and if appropriate, enter the same day as the hearing based on the ruling from the bench.

If proposed orders from the parties are not presented at the hearing, and the matter before me requires findings of fact and conclusions of law, or other specific rulings, if appropriate, I would direct the prevailing party to prepare a proposed order to follow my verbal ruling from the bench as to specific findings of fact and conclusions of law. I would require the prevailing party to submit the proposed order to opposing counsel prior to the court, and provide a reasonable deadline. I would review the proposed order submitted prior to entering to ensure accuracy of fact and law. In the

event that I deem changes, edits, or additions to be required, I would draft accordingly prior to entering the order.

While requesting proposed orders from the litigant's counsel would be one common method to draft orders, it is not appropriate in all circumstances or cases. In the event a particular motion does not permit requesting proposed orders, for example if it involves pro se parties, presents timeliness issues, or otherwise requires special attention to ensure it is disposed of fully and fairly, I would personally draft the order based upon the facts and arguments presented, with research and input from any assigned law clerk, and continue to make every effort to enter orders without unnecessary cost or delay.

14. If elected, what methods would you use to ensure that you and your staff meet deadlines?

If elected, I would maintain a calendar system, like Outlook or a similar program, where deadlines are entered at the time they are created and reminders automatically sent of upcoming deadlines. All members of staff should have access to this calendar. A back-up calendar should also be maintained in chambers.

I would plan to maintain regularly scheduled chambers meetings to review the calendar, upcoming deadlines and scheduled activities, and to ensure proper staffing and scheduling of assignments.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

A judge should apply the rule of law as it is written and should not use his or her seat to legislate from the bench. A judge should refrain from making judgments based on his or her personal or political views. However, in the event the law, as written, is ambiguous or provides for the exercise of judicial discretion, a judge must interpret the law and ensure the law is applied correctly and consistently.

Further, while the constitution and laws should be narrowly construed as drafted, a judge is required to interpret the law in the context of the facts and circumstance presented to the court. A judge is placed with the tremendous trust of the Legislators of this State to apply the law, as written, to unique facts and circumstances. As such facts and circumstances contemplated by a law may change over time, even dramatically, a judge's role must provide for the flexibility in construing the intent of the law and the constraint of language of the law as written.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. If elected, what activities do you plan to undertake to further this improvement of the legal system?

If elected, I plan to continue my participation in the American Inns of Court, the ABA committees and sections, South Carolina Bar committees and sections, and South Carolina Mock Trial (High School and Middle School).

17. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you address this?

No, I do not feel that the pressure of serving as a judge would strain any personal relationships.

I have been blessed to have an incredible support network, including my husband, parents, in-laws, children, and friends, who have invested with me in my career goals.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

In general, my philosophy is that sentencing criminal offenders should serve the broad goals of retribution, deterrence, incapacitation, and rehabilitation. The weight provided to each of these goals in sentencing should be dictated by facts and circumstances of the crime, as presented to the court. Sentences should be tailored to the crime committed, within the structure of the South Carolina Code, to ensure longer terms for high risk, violent offenders, and should take into consideration the level of risk for reoffending. Notwithstanding, sentences for criminal offenders should be similar for similar crimes to provide for consistency and prevent unjust results.

The South Carolina Code is the controlling authority for classifications, definitions and maximum penalties for criminal offenses.

With respect to each of the categories of offenders below, my general sentencing philosophy set forth above would apply, subject to the following clarifications:

- a. Repeat offenders:

The South Carolina Code provides for mandatory increased sentences for certain repeat offenders or persons with multiple convictions. In considering

the broad goals of sentencing above, and to the extent that the law provides a judge discretion to consider the prior conviction in sentencing, prior convictions are generally factors to consider for sentence enhancement.

b. Juveniles (that have been waived to the Circuit Court):

The South Carolina Code provides for certain considerations in sentencing juveniles under the Youthful Offender Act for certain types of non-violent convictions. The fact that the offender is a juvenile in a non-violent crime would generally be a mitigating factor to consider for sentencing or alternative sentencing, aimed at deterrence and rehabilitation of the minor.

c. White collar criminals:

For non-violent fraud and embezzlement based crimes, the goal of retribution and deterrence may be accomplished, at least in part, through alternatives to imprisonment such as fines, restitution, or forfeiture. The non-violent nature of the crime would generally be a mitigating factor to consider for sentencing or alternative sentencing, although severe or irreparable financial harm should be considered an aggravating factor.

d. Defendants with a socially and/or economically disadvantaged background:

One of my philosophies of sentencing is to provide for consistency in punishments and to prevent unjust results. To that extent, if the Defendant committed the crime under social or economic duress, such should be considered as a potential mitigating factor in sentencing. However, the sole fact that the Defendant has a social or economically disadvantaged background, or to contrast, a social or economically advantaged background, should not be a determining factor in sentencing. The court should otherwise consider the Defendant's background in the broader context of the goals of retribution, deterrence, incapacitation, and rehabilitation, dictated by facts and circumstances of the crime, as presented to the court. The Defendant's social or economic background should have some relation to the crime to be relevant. Further, while the court may consider the Defendant's ability to pay in determining restitution amounts, it should not treat a Defendant more harshly in sentencing based on the inability to pay.

e. Elderly defendants or those with some infirmity:

The fact that the offender is elderly or has some other severe infirmity may be a mitigating factor in sentencing, as such infirmity may hinder the broad goals of deterrence, incapacitation, and rehabilitation. Further, the age and

infirmity of a Defendant may create a disproportionality of punishment as a result of the fragility or medical needs of the Defendant.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No.

20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

Yes, the Rules of Judicial Conduct require a judge to hear and decide matters assigned to the judge except those in which disqualification is required. A judge is not disqualified from a proceeding as a result of a *de minimis* interest pursuant to Canon 3E(1)(c) and (d).

21. Have you met the mandatory minimum hours requirement for continuing legal education courses for the past reporting period?

Yes.

22. What do you feel is the appropriate demeanor for a judge and when do these rules apply?

A judge should conduct themselves fairly and in a manner that promotes public confidence, with integrity and impartiality, at all times. A judge should also respect and comply with the law at all times.

If elected, I would strive to be balanced with a thoughtful, deliberate, and authoritative demeanor, together with a compassionate and level headed manner.

23. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or pro se litigants?

While a judge may feel anger (or any other emotion), it is not appropriate for a judge to express anger to a member of the public, a criminal defendant, attorneys, or pro se litigants.

A Circuit Court judge is a visible symbol of the judicial system, and has a duty to display decorum that reflects an independent, fair and competent judicial system. The expression of anger by a judge toward a member of the public, a criminal defendant, attorneys or pro se litigants does not serve to advance the public confidence in the judiciary.

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Sworn to before me this _____ day of _____, 2019.

(Signature)

(Print Name)
Notary Public for South Carolina
My Commission Expires: _____